Application No. 09/874,801 Amendment dated February 14, 2005

Reply to Office action of August 12, 2004

Docket Number 06821/06258

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the above-identified application:

Listing of Claims:

- 1. (previously presented)A flooring system supported by a concrete slab of a building structure comprising: a wood subfloor supported by the concrete slab; a wood finished floor supported by the wood subfloor; a moisture and condensation barrier layer coated onto the wood subfloor, the moisture and condensation barrier layer comprising a non-vulcanized, cured liquid rubberized coating material having a thickness sufficient to prevent moisture and condensation from penetrating through the moisture and condensation barrier layer.
- 2. (previously presented)A flooring system as defined in claim 1 wherein the moisture and condensation barrier layer has about a 6-to-8-mil thickness of the non-vulcanized, cured liquid rubberized coating material.
- 3. (previously presented)A flooring system as defined in claim 1 further comprising: a radiant heating system supported by the concrete slab and disposed under the wood subfloor and the moisture and condensation barrier layer, the radiant heating system providing heat to the flooring system and the building structure; and wherein the moisture and condensation barrier layer prevents moisture and condensation from penetrating through the moisture and condensation barrier layer.
- 4. (previously presented) A flooring system as defined in claim 1 wherein the non-vulcanized, cured liquid rubberized coating material cures into a solid after being coated onto the wood subfloor.
- 5. (previously presented) A flooring system as defined in claim 1 wherein the wood subfloor comprises a plurality of wood boards having the non-vulcanized, cured liquid rubberized coating material coated onto the wood boards.

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6. (previously presented) A flooring system as defined in claim 5 wherein: the non-vulcanized, cured liquid rubberized coating material is coated onto only one side of the wood boards; and the wood boards are placed in the wood subfloor with the coated side face down.

7. (previously presented) A flooring system as defined in claim 5 wherein: the non-vulcanized, cured liquid rubberized coating material is coated onto only one side of the wood boards; and the wood boards are placed in the wood subfloor with the coated side face up.

8. - 13. (canceled)

14. (previously presented)A method of forming a flooring system supported by a concrete slab in a building structure comprising: coating a plurality of wood boards with a moisture and condensation barrier material having a non-vulcanized, cured liquid rubberized coating material; placing the coated wood boards onto the concrete slab to form a wood subfloor having a moisture and condensation barrier that prevents moisture and condensation from penetrating through the moisture and condensation barrier; and installing a wood finished floor over the wood subfloor.

- 15. (previously presented) A method as defined in claim 14 further comprising: coating the wood boards with the non-vulcanized, cured liquid rubberized coating material that cures into a non-tacky solid to form the moisture and condensation barrier material.
- 16. (original) A method as defined in claim 14 further comprising: before placing the coated wood boards onto the concrete slab, installing a radiant heating system onto the concrete slab, the radiant heating system being for heating the flooring system and the building structure; and placing the coated wood boards over the radiant heating system to prevent moisture and condensation from reaching the wood finished floor from the radiant heating system.
- 17. (previously presented)A method as defined in claim 14 further comprising: coating only one side of each wood board; and placing the wood boards onto the concrete slab with the one coated side face down to prevent moisture and condensation from penetrating through_the moisture and condensation barrier to the wood subfloor and wood finished floor.

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18. (previously presented) A method as defined in claim 14 further comprising: coating only one side of each wood board; and placing the wood boards onto the concrete slab with the one coated side face up to prevent moisture and condensation from penetrating through the moisture and condensation barrier to the wood finished floor.

19. - 45. (canceled)